

Applicant	:	Phillip Liu, et al.
Appl. No.	:	10/606,451
Examiner	:	Krisna Lim
Docket No.	:	16440.4021

Remarks

Claims 1, 3, 4, 8, and 17 have been amended. Claims 1-19 are pending in the application. Applicants respectfully request reconsideration.

Claim 1 has been amended to recite that the telephone activation means generates the initiate meeting request in response to a user pressing a button on the first advanced capability telephone. Support for this amendment can be found, for example, in paragraph [0062] on page 19 of the application. Claim 1 has also been amended to require that the first advanced capability telephone be separate from the respective computer of the user having the first advanced capability telephone. Support for this amendment can be found, for example, in Figure 1A of the application, which clearly shows the advanced capability telephone 12a being separate from the respective computers 16a. Independent claims 8 and 17 have each been similarly amended.

Objection to Disclosure

The disclosure was objected to for not providing the current status of the cited application on page 2. Applicants have updated the current status of the cited application to include the filing date. The cited application has not yet issued as a patent.

Claim Rejections Under 35 U.S.C. § 112

Claims 1-19 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding claims 1, 8, and 17, the Examiner stated "it is unclear where an activation signal come. And it is unclear to where an initiate meeting request. It is unclear where a meeting zone is established."

With respect to the activation signal, claim 1 has been amended to recite that the telephone activation means generates the initiate meeting request in response to a user pressing a button on the first advanced capability telephone.

With respect to the initiate meeting request, claim 1 has been amended to recite that the computer activation means establish the meeting zone for the collaborative computing session in

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response to the initiate meeting request from the first advanced capability telephone.

With respect to the meeting zone, Applicants respectfully submits that claim 1 is definite because the meeting zone has a definite meaning. See, e.g., paragraph [0059] of the application. The particular location of the meeting zone is not being claimed in claim 1, and therefore not required for definiteness.

For at least the above reasons, Applicants respectfully submit that the 112 rejections of claim 1 has been overcome. Claims 8 and 17 have each been similarly amended as claim 1, and therefore the same reasons given for claim 1 also apply for claims 8 and 17.

Regarding claims 3, 4, 8, and 13, the Examiner indicated that "the respective computer" lacked clear antecedent basis. Claims 3, 4 and 8 have each been amended to recite "a respective computer." The recitation of "a respective computer" in claim 8 provides antecedent basis for "the respective computer" in claim 13. Therefore, Applicants submit that the 112 rejection of these claims has been overcome.

Regarding claim 17, the Examiner indicated that the language "operable" rendered the scope of the claim unascertainable citing MPEP § 2173.05(d). Applicants respectfully disagree.

MPEP § 2173.05(d) is directed to the claim language "for example," and "such as." MPEP § 2173.05(d) provides no basis for finding the claim language "operable" indefinite. Applicants submit that the language "operable" in claim 17 is definite because it requires that the computer or telephone have the ability to perform the recited function. In fact, a word search for "operable" in the claims of issued patents on the USPTO website yielded over 150,000 hits, indicating wide spread acceptance of "operable" in claims. For at least the above reasons, Applicants respectfully request the withdrawal of this rejection. Claims 1-11 were similarly rejected. Therefore, Applicants also respectfully request the withdrawal of this rejection with respect to claims 1-11.

Claim Rejections Under 35 U.S.C. § 102(e)

Claims 1-19 were rejected under 35 U.S.C. 102(e) as being anticipated by Ludwig (U.S. Pat. No. 7,185,054). Applicant respectfully traverse.

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Claim 1 is patentable because none of the cited references, either alone or in combination, discloses or teaches a system for initiating a collaborative computing session during a telephone call comprising telephone activation means present on a first advanced capability phone that generates an initiate meeting request in response to a user pressing a button on the first advanced capability telephone, and computer activation means present on a separate computer of the user that establishes a meeting zone for the collaborative computing session in response to the initiate meeting request from the advanced capability telephone. The claimed invention is advantageous when the user is on a telephone engaged in a telephone call with another user and spontaneously decides to initiate a collaborative session with the other user on his/her separate computer. The claimed invention allows the user on the telephone to initiate the collaborative computing session on his/her computer from the telephone during the telephone call by pressing a button on the telephone.

In Ludwig, a user participates in a collaborative session on the user's collaborative multimedia workstation (CMW). The user initiates a collaborative session with another user from the user's CMW, not from a telephone that is separate from the CMW during a telephone call. The CMW of Ludwig contains software modules 160 for initiating and managing collaborative sessions. Col. 18, lines 34-40. The software modules 160 include a collaborative initiator 161 for initiating collaborative sessions with other CMWs. The software modules 160 also include quick dial buttons 162 which provides face icons on the CMW screen that represent other users that the user can click on to initiate a collaborative session with the represented user. Col. 18, line 61 to col. 19, line 5. See Fig. 2A for an example of face icons on the CMW screen. The software modules 160 also include computer integrated-telephony 167 for initiating a teleconference from the CMW and a videophone 169 for initiating a videoconference from the CMW. Since all of these software modules 160 reside on the CMW, none of them can possibly teach a telephone activation means on a separate telephone for initiating a collaborative session on the CMW during a telephone call.

For at least the reasons given above, Applicants submit that claim is patentable over Ludwig, and therefore respectfully request the withdrawal of the rejection of claim 1.

Claims 2-7 depend from claim 1, and are therefore also patentable for at least the reasons given for claim 1.

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Independent claims 8 and 17 have each been amended to include limitations similar to those of claim 1. Therefore, independent claims 8 and 17, and their depend claims 9-16, and 18-19, respectively, are also patentable for at least the reasons given for claim 1.

Conclusion

Prompt and favorable action on the merits of the claims is earnestly solicited. Should the Examiner have any questions or comments, the undersigned can be reached at (949) 567-6700.

The Commissioner is authorized to charge any fee which may be required in connection with this Amendment to deposit account No. 15-0665.

Respectfully submitted,

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